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October 15, 2018

BY ELECTRONIC CASE FILING

Honorable Steven L. Tiscione
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Chambers: Room N505
Brooklyn, New York 11201

CONFIDENTIAL MEDIATION STATUS REPORT

Wanda Timms v. Citibank, N.A.
18-CV-1702 (RJD) (SLT)

Dear Judge Tiscione:

We are counsel to Citibank, N.A. On October 1, 2018 the parties attended a settlement conference before this Court, at which time no settlement was reached. The parties agreed to continue discussions and this Court directed counsel to file a joint status report by October 15. Pursuant to this Court's instructions, we respectfully submit this joint report with the consent of plaintiff's counsel to address the status of settlement negotiations since that conference.

Before leaving court following the October 1 settlement conference, the parties continued their discussions. At that time Citibank increased its offer to include a waiver of the overdraft. Since then, the parties had three telephone conversations, most recently on October 11. They also exchanged emails. In spite of these efforts, the parties have been unable to achieve a settlement.

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Plaintiff believes that it would be beneficial to hold a follow-up settlement conference. While the initial settlement conference was very helpful in narrowing the initial gap between plaintiff's demand and Citibank's offer, Citibank is not interested in increasing its offer any further. As a result, Citibank respectfully submits that further discussions with the Court would not be fruitful and, therefore, opposes plaintiff's request for another settlement conference.

Respectfully submitted,


Ronald M. Neumann

RMN:mzg